



General Assembly

January Session, 2007

Committee Bill No. 686

LCO No. 6196

06196SB00686PH_

Referred to Committee on Public Health

Introduced by:
(PH)

**AN ACT CONCERNING ACCESS TO HEALTH AND NUTRITIONAL
INFORMATION IN RESTAURANTS.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2007*) (a) As used in this section
2 and section 2 of this act:

3 (1) "Restaurant" means any place where food is prepared and
4 intended for individual portion service and includes the site at which
5 individual portions are provided. "Restaurant" includes any such place
6 regardless of whether consumption is on or off the premises and
7 regardless of whether there is a charge for the food, but does not
8 include a kitchen in a private home where food is prepared or served
9 and not offered for sale, or a bed-and-breakfast operation that prepares
10 and offers food to the guests if such operation is owner occupied and
11 has the total building occupant load of not more than sixteen persons
12 including the owner and occupants, and has no provisions for cooking
13 or warming food in the guest rooms, and breakfast is the only meal
14 offered.

15 (2) "Chain restaurant" means a restaurant that is part of a group of

16 ten or more restaurant locations nationally, doing business under the
17 same trade name, offering predominantly the same types of meals,
18 foods or menus, regardless of the type of ownership of the individual
19 restaurant locations.

20 (3) "Standard printed menu" means a printed menu that is provided
21 by a restaurant to individual customers.

22 (4) "Authorized agent" means any individual certified by the
23 Commissioner of Public Health to inspect food service establishments
24 and enforce the provisions of section 19-13-B42 of the regulations of
25 Connecticut state agencies under the supervision or authority of the
26 director of health.

27 (5) "Director of health" means the director of a local health
28 department or district health department approved by the
29 Commissioner of Public Health, as specified in sections 19a-200 and
30 19a-242 of the general statutes, respectively.

31 (b) On or before July 1, 2008, each chain restaurant in this state shall
32 make available to consumers the total number of calories for each
33 standard menu item, as that item is usually prepared and offered for
34 sale by the chain restaurant.

35 (c) Each chain restaurant that uses a standard printed menu:

36 (1) Shall list the total number of calories next to each standard menu
37 item in a size and typeface similar to other information included on the
38 standard printed menu about such item.

39 (2) Shall include on the bottom of each page of such menu, in a clear
40 and conspicuous manner, the following statement: "Daily Values are
41 based on a 2,000 calorie diet."

42 (3) May include on such menu a disclaimer stating that there may be
43 variations in the total number of calories across servings of standard
44 menu items, based on special orders or slight variations in overall

45 serving size or quantity of ingredients.

46 (d) Each chain restaurant that uses only a menu board or similar
47 sign to list the food or beverage items it offers for sale:

48 (1) Shall list the total number of calories next to the item in a size
49 and typeface similar to other information included on the menu board
50 or sign about the item.

51 (2) Shall include on such board or sign, in a clear and conspicuous
52 manner, the following statement: "Daily Values are based on a 2,000
53 calorie diet."

54 (3) May include on such board or sign a disclaimer stating that there
55 may be variations in the total number of calories across servings of
56 standard menu items, based on special orders or slight variations in
57 overall serving size or quantity of ingredients.

58 (e) Notwithstanding the provisions of subsections (c) and (d) of this
59 section:

60 (1) For standard menu items that come in different flavors and
61 varieties but that are listed as a single menu item, such as soft drinks,
62 ice cream, pizza and doughnuts, the chain restaurant may list such
63 calorie totals on standard printed menus, menu boards or similar signs
64 listing food and beverages offered for sale by the chain restaurant as
65 follows: (A) The median calorie total for all flavors or varieties if the
66 calorie totals for all flavors or varieties are within twenty per cent of
67 the median, or (B) the total calorie range for all the flavors or varieties
68 of that menu item, listed from the lowest to the highest value.

69 (2) If a chain restaurant provides a salad bar, buffet line, cafeteria
70 service or similar self-serve arrangement, the chain restaurant shall not
71 be required to list calorie totals for such items on a standard printed
72 menu, menu board or similar sign listing food and beverages offered
73 for sale by the chain restaurant, but may, instead, list such calorie
74 totals in close proximity to where the items in such arrangement are

75 offered for sale, in a size and typeface that is prominent and legible to
76 customers selecting items from such arrangement.

77 (f) This section does not apply to (1) daily specials and other food or
78 beverage items offered for sale by a chain restaurant for thirty days or
79 less, or (2) condiments and other food items placed on tables or
80 counters for general use without charge, such as bread.

81 Sec. 2. (NEW) (*Effective July 1, 2008*) For the purpose of enforcing the
82 provisions of section 1 of this act, each director of health, authorized
83 agent or registered sanitarian shall, as part of the inspection of a chain
84 restaurant, evaluate whether standard printed menus, menu boards or
85 other similar signs listing food and beverages offered for sale by the
86 chain restaurant contain the calorie totals required under section 1 of
87 this act. As part of such evaluation, the director of health, an
88 authorized agent or a registered sanitarian may request that
89 franchisors or corporate owners of chain restaurants provide
90 documentation of the accuracy of any listed calorie totals, but the
91 director of health, authorized agent or registered sanitarian shall not be
92 responsible for verifying the accuracy of the listed calorie totals.

93 Sec. 3. Section 19a-36a of the general statutes is repealed and the
94 following is substituted in lieu thereof (*Effective July 1, 2007*):

95 (a) The Commissioner of Public Health shall adopt regulations, in
96 accordance with the provisions of chapter 54, to assure that food
97 service establishments employ as food operators persons who have a
98 knowledge of safe food handling techniques and to set requirements
99 for the employment of food operators by such establishments. Such
100 regulations shall include, but not be limited to, responsibilities of food
101 service establishments and their employees, exemptions for certain
102 classes of food establishments and responsibilities of local health
103 departments in monitoring compliance of food establishments.

104 (b) On or before January 1, 2008, the Commissioner of Public Health
105 shall adopt regulations, in accordance with the provisions of chapter

106 54, incorporating inspection and enforcement procedures for the
107 requirements established in section 1 of this act into regularly
108 scheduled food service establishment inspections. Such regulations
109 shall establish (1) weighted point values for each such requirement, (2)
110 a minimum acceptable rating score for such requirements, and (3)
111 enforcement procedures for chain restaurants that fail to meet the
112 minimum acceptable rating score for such requirements.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	New section
Sec. 2	<i>July 1, 2008</i>	New section
Sec. 3	<i>July 1, 2007</i>	19a-36a

Statement of Purpose:

To give access to health and nutritional information in restaurants.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. WILLIAMS, 29th Dist.; SEN. HANDLEY, 4th Dist.
SEN. HARP, 10th Dist.

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